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NELSON COUNTY PLANNING COMMISSION

Meeting Agenda: May 24th, 2017

General District Courtroom, 3rd Floor, Nelson County Courthouse, Lovingston

- 7:00 – Meeting Convenes / Call to Order
- Review of meeting minutes: March 22nd, 2017
- Public Hearing Items:

1. Rezoning #2017-01 / #2017-02 – Residential (R-1) to Business (B-1) / Curtis & Carolyn Bruguire and Alvin Lenahan

The Purpose of said public hearing is for the PC to receive public input on a Rezoning application made pursuant to Zoning Ordinance Article 16. The subject property is located in Afton at 1889 Avon Rd and 19 Poppy Ln; these are further identified as Tax Map Parcels #7-A-4 (1.1 acres) and #7-A-5 (1.75 acres) respectively, and are zoned Residential (R-1) with a small portion of #7-A-5 being zoned (A-1). The applicant seeks approval to rezone the properties to Business (B-1) to “request the property to be zoned accordingly to accommodate a retail business on the site”. This request will apply to both properties and then they will be combined to form one parcel.

- Other Business (as determined by Planning Commission members / as applicable)

Buck Creek Village Subdivision

Mr. John Hesselbart / Buck Creek Village LLC

- Board of Supervisors Report
- Adjournment
- Next Meeting: June 28th, 2017 | 7:00pm

DEPARTMENT OF
PLANNING & ZONING



PLANNING COMMISSION
BOARD OF ZONING APPEALS

To: Chair and Members, Nelson County Planning Commission
From: Grant Massie | Interim Planning and Zoning Director
Date: May 15, 2017
Subject: Buck Creek Subdivision

The subject property is located on Rt. 617, Buck Creek Lane approximately 0.8 miles from U.S. 29. The subdivision is on the east (right hand) side of Buck Creek Lane. Surrounding zoning is A-1. The concept for this development is to create a small residential community for owners 55+ years old and older. There are 10 residential lots all approximately 2 acres in size with a large (30 acre) common area lot. This will be a private road subdivision with a common area cabin. The cabin will have a kitchen and social area. A HOA will be established to maintain common assets. Owners state that land and tree disturbance will be kept to a minimum. This development is subject to Health Department, VDOT, E and S and SWM regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Massie".

Grant Massie
Interim Nelson County Planning & Zoning Director
SGM/ewh



PERMIT APPLICATION:

Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Subdivision - Preliminary # _____
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- | | |
|---------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Rezoning from _____ to _____ | <input type="checkbox"/> Conditional Rezoning from _____ to _____ |
| <input checked="" type="checkbox"/> Subdivision - Preliminary | <input type="checkbox"/> Site Plan - Preliminary (optional) |
| <input type="checkbox"/> Subdivision - Final | <input type="checkbox"/> Site Plan - Final |
| <input type="checkbox"/> Major Site Plan | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Other: _____ |

- ☐ Pursuant to Article _____, Section _____ of the Nelson County Zoning Ordinance.
☐ Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

Reason(s) for request: Develop a senior co-housing community of individually owned lots + homes including a community owned common house. Buck Creek Village is intended to better enable residents to age well in place with persons of similar values and interests.

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):

(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

☒ Applicant ☐ Property Owner Name: Buck Creek Village L.L.C.
Mailing Address: 524 Buck Creek Lane
Telephone # 434-996-2246 E-mail Address: gwalker1947@gmail.com
Relationship (if applicable): President - Buck Creek Village LLC

☐ Applicant ☒ Property Owner Name: John Hesselbart, Trustee Hesselbart - Brennan Living Trust
Mailing Address: 524 Buck Creek Lane
Telephone # 434-996-4768 E-mail Address: JohnHesselbart@gmail.com
Relationship (if applicable): _____

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of property (specific location, route numbers, street names, voting district, etc.):

1202 Buck Creek Lane, Faber, VA 22938

b. Official tax map number: 35-A-53

c. Acreage of property: Total parcel - 130. Subdivision - 42

d. Present use: Agriculture

e. Present zoning classification: A-1

f. Zoning classification of surrounding properties: A-1, R-2

4. Names of Adjacent Property Owners: Harry Campbell, Robi Durrer, Coe Sweet, Estate of Molly Bailey, Estate of H.H. Green, Joseph Harris, Victor Cabas, Constantine Roussos, Hesselbart-Brennan Living Trust

5. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: [Signature] Printed Name: Gordon Walker

Signature: [Signature] Printed Name: John Hesselbart

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

6. Additional information: (Please attach separate sheet for additional details, explanations, etc.)

7. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

***** TO BE COMPLETED BY PLANNING & ZONING STAFF *****
ALSO PAID PRELIMINARY

o Completed application and fee (\$ 130) received on 4/5/2017

o Hearing Notice published on _____

o Planning Commission action: Date of Meeting / Hearing: _____

Recommendation: _____

o Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____

Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingson, Virginia 22949 | (Physical Address) 80 Front Street, Lovingson, Virginia 22949

(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | (Fax Number) 434 263-7086

<http://www.nelsoncounty-va.gov/departments/planning-zoning/>



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DEPARTMENT OF
PLANNING & ZONING

PLANNING COMMISSION
BOARD OF ZONING APPEALS

DATE: May 4th, 2017
TO: Applicants of the Nelson County Planning & Zoning Department
FROM: Grant Massie, Interim Planning and Zoning Director
RE: Permit Application Review Process

Please be advised that your application has been received in our office requesting approval of the following:

1) **Rezoning #2017-01 / #2017-02**

Curtis and Carolyn Bruguere / TM# 7-A-4
Alvin Lenahan / TM# 7-A-5

Moved to June 28th Meeting

2) **Buck Creek Village Subdivision**

Mr. John Hesselbart / Buck Creek Village LLC

Listed below are the dates and times of the meetings when your application(s) will be reviewed. You and/or your representative(s) are encouraged to attend.

Planning Commission

7:00 P.M. on May 24th, 2017

General District Courtroom, Nelson County Courthouse,
84 Courthouse Square, Lovingson, VA

Board of Supervisors

(To Be Determined)

If you have questions regarding these items prior to the meeting, or if you need any assistance, please don't hesitate to contact the Department of Planning & Zoning.

Thank you; sincerely,

Grant Massie

SGM/EWH

Enclosures



FILE COPY

April 18, 2017

John Hesselbart

Dear Mr. Hesselbart,

I have reviewed the preliminary subdivision plat of Buck Creek Village for completeness with respect to Section 5-4 of the subdivision ordinance. All required information is present. There is an application (enclosed) that appears to be required per Section 3-3, A. Please fill it out and return. I will proceed with distribution to the other agencies for site plan review per Section 3-3, D. Please note that Section 3-3, E implies that an erosion and sediment control plan is part of the site plan review process. Is Mr. Shimp preparing the E and S?

The fees are: Preliminary plat \$100 and \$10/lot; Final plat \$75 and \$5/lot.

Let me know if you have questions. Thank you.

A handwritten signature in black ink, which appears to read "Grant Massie". The signature is written in a cursive, flowing style.

Grant Massie

Emily Hjulstrom

From: Kessler, Jeffery B., P.E. (VDOT) <JefferyB.Kessler@VDOT.Virginia.gov>
Sent: Tuesday, May 16, 2017 10:11 AM
To: Grant Massie
Cc: Emily Hjulstrom; johnhesselbart@gmail.com; justin@shimp-engineering.com; michael.ramsey@tjswcd.org; Brown, Sara S. (VDOT)
Subject: Nelson Co. SPRC May Meeting - Buck Creek Village Prel. Subdv. Plat (TM #35 A 53) Rte. 617 - Faber Area
Attachments: VDOT_Lynchburg_Site_Plan_Checklist_2016.pdf; VDOT_Standard_Plan_Notes_(Site Plans) September2015.MOD 12.2016.doc; Agenda_Site Plan Review Committee_2017-05-10.docx

Grant,

As shared during our May 10th Site Plan Review Committee meeting, we have the following initial comments for the proposed subdivision and development of Buck Creek Village located on Route 618, Buck Creek Lane.

In order to determine the acceptability of the proposed entrance location, the developer will need to provide:

1. ITE Trip Generation for the proposed entrance,
2. A measured distance from a known point and GPS coordinates of the proposed entrance location,
3. Measured Stopping Sight Distance (SSD) and measured Intersection Sight Distance (ISD) as applicable based on a design speed of 35 mph. If existing conditions do not allow for the minimum required sight distances, what measures are proposed to satisfy the requirement(s)?
4. The submission of any proposed VDOT access and/or design waivers or exception.

Additional requirements:

1. An entrance design satisfying VDOT's commercial entrance requirements (see attached VDOT checklist for site plans – now required with the commercial entrance plan submission for Lynchburg District VDOT's review),
2. Insert the applicable VDOT Notes from the attached VDOT Standard Notes for site plans,
3. Offset the beginning of the commercial entrance radii a minimum of 9 feet from the existing center of Route 617 roadway,
4. Show proposed sight distance easements, if applicable,
5. Demonstrate that runoff will not adversely impact state right-of-way (prescriptive easement),
6. Adjustment of the existing residential entrance as to not impede the safety or function of the proposed commercial access,
7. A VDOT signature block that the plan is "Acceptable to VDOT" along with the following disclaimer:

ACCEPTABLE TO VDOT

VDOT REPRESENTATIVE: _____ DATE: _____

VDOT'S REVIEW IS NOT INTENDED TO BE EITHER COMPLETE OR COMPREHENSIVE AS IT IS THE RESPONSIBILITY OF THE SUBMITTING ENGINEER/SURVEYOR THAT SIGNS AND SEALS THESE PLANS TO ENSURE THE COMPLETENESS AND ACCURACY OF THEIR PLANS IN ACCORDANCE WITH GOVERNING LAWS, REGULATIONS, SPECIFICATIONS AND STANDARDS. PLAN ERRORS AND OR OMISSIONS THAT ARE DISCOVERED DURING CONSTRUCTION REMAINS THE RESPONSIBILITY OF THE SUBMITTING ENGINEER/SURVEYOR.

A VDOT Land Use Permit for commercial entrance is required.

Other items for consideration:

1. Recommend consideration of dedicating 25 feet from center of existing Route 617 along property frontage to Nelson County for maintenance of and future improvements to Route 617 due to the additional traffic that will be generated by this proposed development.
2. If access road within the proposed development is not intended to be presented for state maintenance, the following statement shall be added to the site plans, subdivision plat and all approved deeds of subdivision, or similar instruments: "The street(s) in this subdivision do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the Department of Transportation or the county approving the subdivision and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board."

Please have the developer submit revised site plans and support documentation to my attention at: VDOT Lynchburg Office, Land Use Section, 4219 Campbell Avenue, Lynchburg, VA 24501.

I will be happy to address any questions.

Sincerely,

Jeff

Jeffery B. Kessler, P.E.
Area Land Use Engineer
VDOT - Lynchburg
434.856.8293
JefferyB.Kessler@VDOT.Virginia.gov

From: Emily Hjulstrom [mailto:ehjulstrom@nelsoncounty.org]
Sent: Tuesday, May 02, 2017 2:33 PM
To: Kessler, Jeffery B., P.E. (VDOT); michael.ramsey@tjswcd.org; lcr1236@verizon.net; Eick, Thomas (VDH); David Thompson
Cc: Grant Massie; johnhesselbart@gmail.com; gwalker1947@gmail.com; justin@shimp-engineering.com
Subject: SPRC May meeting

Good afternoon everyone,

Sorry for the delay, I should have gotten this information to you yesterday. The Site Plan Review Committee Meeting will be Wednesday, May 10th at 11am in the Old Board of Supervisors Meeting Room (Room 420). Attached is the agenda.

There is one item planned for review, a subdivision named Buck Creek Village submitted by Buck Creek Village LLC. I will send out your packets this afternoon.

Thank you,

Emily Hjulstrom

Secretary
Nelson County Planning & Zoning
P.O. Box 558, Lovingston, VA 22949
Phone: (434) 263-7090
Fax: (434) 263-7086
ehjulstrom@nelsoncounty.org



To: Grant Massie, Interim Planning & Zoning Director

From: David L Thompson, Building Code Official

Date: May 3, 2017

Re: May 3, 2017 - Site Plan Review Meeting

COMMENTS:

1. **Subdivision - Buck Creek Village, LLC.** John Hesselbart, Buck Creek Village, LLC

- 4 sets of approved erosion & sediment control plans and evidence of a VSMP permit registration statement is required prior to submitting an application for a Nelson County Land Disturbing Activity permit and the issuance of the permit to engage in the site work. Nelson County Code Article III, section 9-55 (b).



Date: May 2nd, 2017
TO: Site Plan Review Committee Members & Zoning Permit Applicants
FROM: Grant Massie, Interim Director of Planning & Zoning
RE: Items for Agency Review and Comment – May 10th Meeting

Enclosed are the site plan materials to be reviewed on Wednesday, May 10th in the Old Board of Supervisors Meeting Room (Room 420), located on the 4th Floor of the Nelson County Courthouse in Lovingston. This meeting will begin at 11:00am; please see the schedule (below) for the estimated start time of each agenda item. Please reference the table below to determine your agency's requested participation in the review and discussion of each item.

1) Subdivision – Buck Creek Village – Buck Creek Village, LLC.

John Hesselbart, Buck Creek Village, LLC

	Utility / Power Company	Nelson Co. Info. Systems Director	Nelson Co. Emergency Services Coordinator	Nelson Co. Service Authority	Nelson Co. Building Official	Nelson Co. Planning Commission	TJSWCD (Soil & Water Conservation District)	VDH (Health Dept.)	VDOT
Item 1. 11:00am					X	X	X	X	X

Please feel free to contact me prior to the meeting with any questions or comments you may have regarding these items.

Thank you; sincerely,

Grant Massie
Interim Planning & Zoning Director
(434)-263-7090 – gmassie@nelsoncounty.org

SGM/ewh
Enclosures